IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 27th day of Sept ,2002

Criminal Misc. Bail Application no. 1010 of 2002

Order on the Bail application

CRIMINAL SIDE

(1) Hardwari son of Sri Kundan, resident of village Bishanpur Kundi, P.S. Pathri, District Hardwar and (2) Kamal son of Sri Fullu, resident of village Sultanpur Kunhari, P.S. Laksar, District Hardwar, presently residing at village Bishanpur Kundi, P.S. Pathri, District Hardwar

----------Applicant(s)

Versus

State of Uttaranchal.

----------Opposite Party

Arising out of- Case crime no.31 of 2002,
Under sections 302/307/336/323/324/147/148/149 of I.P.C.,
P.S. Pathri,
Distrct Hardwar

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant-accused and the learned Assistant Govt. Advocate.

Considering the allegations of the first information report. Applicant-accused Hardwari had wielded a Lathi. Co-accuswed Mainpal who was also having a Danda had been released on bail earlier by this Court. Considering this, it is a case of parity.

So far as the applicant-accused Kamal is concerned, there is allegation against him that he pelted stone at the time of the occurrence. Considering the allegation, he is also entitled to bail.

Let the applicants (1) Hardwari son of Sri Kundan, residet of village Bishanpur Kundi, P.S. Pathri, District Hardwar and (2) Kamal son of Sri Fullu, resident of village Sultanpur Kunhari, P.S. Laksar, District Hardwar presently resident at village Bishanpur Kundi, P.S. Pathri, District Hardwar be released on bail in case crime no.31 of 2002,under, sections 302/307/336/323/324/147/148/149 of I.P.C.,P.S. Pathri, District Hardwar on their each furnishing a personal bond and adequate sureties each to the satisfaction of C.J.M., Hardwar.

(Irshad Hussain, J.)

27.09.02./B.